(31)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 2969 of 2007

PETITIONERS : 1. Motiram Kashyap Age about 41 year, Asstt. Teacher S/o Shri Ramphal Kashyap R/o Village + Post – Bhathipara Block – Bastar, Distt. – Bastar (C.G.)
2. Ku. Vandana Khandalkhar (Now Smt. Rawat) Aged about 42 year, Asstt. Teacher W/o Shri Dileep Rawat Primary School Parchanpal Block – Bastar, Distt. – Bastar (C.G.)
3. Shiv Ram Singh Mourya Age about 37 year, Asstt. Teacher S/o Shri Sukuluram Mourya Boys Hostal Rotma, Block – Bastar, Distt. – Bastar (C.G.)
4. Chandra Bilas Agrawani Age about 38 year, Asstt. Teacher S/o Late Shri H.R.Agrawani High School Ichchhapur Block – Bastar, Distt. – Bastar (C.G.)
5. Mannuram Netam Age about 38 year, Asstt. Teacher S/o Shri T.R.Netam Primary School Ichchhapur Block – Bastar, Distt. – Bastar (C.G.)
6. Kamlochan Bisai Age about 41 year, Asstt. Teacher S/o Shri Loknath Bisai Primary School Besrapal Block – Bastar, Distt – Bastar (C.G.)
7. Smt. Rekha Kamini Age about 43 year, Asstt. Teacher W/o Shri Pradeep Kumar Middle School Kolchur Block – Bastar, Distt. – Bastar (C.G.)

VERSUS

RESPONDENTS : 1. State Govt. of Chhattisgarh Through Secretary Tribal Welfare Department & Education Department D.K.S. Bhawan, Distt. – Raiur (C.G.)
2. Astt. Commissioner Jagdalpur, District – Bastar (C.G.)
3. District Education Officer Jagdalpur, District – Bastar (C.G.)
4. Block Education Officer Bastar, District – Bastar (C.G.)
5. Treasure & Accounts Bastar, District – Bastar (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Somkant Verma, Advocate for the petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/respondents.

ORDER

(Passed on 26th day of June, 2007)

1. The question of law involved herein is asto whether the petitioners are entitled to regular pay scale w.e.f the date of initial appointment or from the date of completion of probation period.

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2. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same as to that of in W.P.(S) No. 5976/2006 **(Sushil Tiwari and others Vs. State Government of Chhattisgarh & Others)**, which was allowed vide order dated 7.11.2006.

3. However, the State Government is at liberty to verify the appointment of the petitioners in order to find out whether the facts of the present case are identical to that of W.P.(S) No. 5976/2006 (supra).

4. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Thakur